

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte STEPHEN ANDERSON,
GAETANO MONTELIONE, and
YUANPENG HUANG

Application No. 09/744,002

MAILED

AUG 23 2004

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on June 22, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

We were unable to locate a copy of the Mumrenthalier, Wallace, Farber, Friedrichs, Holm, and Bagby references relied on by the examiner on page 3 of the Examiner's Answer dated November 7, 2003.

Accordingly, it is

ORDERED that the application is returned to the Examiner to locate the missing references (Mumrenthalier, Wallace, Farber, Friedrichs, Holm, and Bagby),

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have complete copies scanned into the IFW file, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES



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